



## Department Checklist International Scholar Immigration Document Processing

### Documents required for initial and extension requests – all immigration classifications

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- Form A:** Completed and signed by department host, chair and dean. For graded staff positions, signatures are required from the scholar's principal supervisor and unit director.
- Letter of Appointment:** Required for all faculty and research positions. Appointments are generally approved by the Dean of the school or college on the Charles River Campus. Appointment letters for scholars at the School of Medicine (MED) must be requested from the Office of Human Resources at the Medical Campus.  
  
Sponsorship requests for employees in graded staff positions should include an Employment Offer Letter from the Office of Human Resources.
- Form B:** Completed and signed by the prospective scholar.
- Supporting Documentation from Scholar** (see checklist on Form B)
- Additional Items\*:** those required for the specific visa classification as listed below.

### \* Additional Items for Specific Classifications

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#### J-1 Exchange Visitor Requests

- Financial Documentation:** For scholars paid by BU, funding should be reflected on Appointment Letter. Supplemental documentation is required if the scholar will receive funding from source other than BU. Must meet minimum BU [financial requirement](#) for sponsorship.
- No Patient Care Letter** (Required for all J-1 scholars who hold a medical degree): Boston University is designated as a J-1 Program Sponsor for teaching, research and study only. We are not qualified to sponsor foreign medical graduates for programs which include clinical care of patients. Prospective scholars who hold a medical degree from a country outside of the U.S. must submit a letter from the Dean of their BU host school or college to indicate that their intent is to conduct academic research only and that they will not have responsibility for any clinical patient care. Prospective scholars or employees whose responsibilities will include clinical patient care should consult with ISSO to determine a more appropriate immigration sponsorship alternative.

#### J-1 Student Interns (These supplemental "Student Intern" forms are required in addition to the standard J-1 support documents above)

- BU Host Department Certification**
- Home Academic Institution Certification**

#### H-1 Temporary Worker Requests

- H-1 Supplement Form**
- H-1 Letter of Support**
- [Premium Processing Check](#):** Make payable to "US Department of Homeland Security" if department wishes to request USCIS Premium Processing expedite service

#### TN (Trade NAFTA) Employee Requests

- TN Supplement Form**

#### O-1 Persons of Extraordinary Ability Requests

- O-1 Supplement Form**



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A. BU Host Department Information

Form section A containing fields for School / College, Department or Administrative Office, Department / Office Address, BU Host / Supervisor Name, Department / Office Contact Name, BU Host / Supervisor Title, Department / Office Contact Title, BU Host / Supervisor Phone, BU Host / Supervisor Fax, Department / Office Contact Phone, Department / Office Contact Fax, BU Host / Supervisor E-mail, and Department / Office Contact E-mail.

B. Requested Visa Classification (please select one)

Form section B containing checkboxes for J-1, Professor, Research Scholar, Short-term Scholar, Specialist, Student Intern, H-1B, TN, O-1, F-1 STEM OPT, and EXTENSION of checked status.

C. Scholar Personal Information

Form section C containing fields for Name Prefix, Last Name / Family Name / Surname, First Name / Given Name, Middle Name(s), Date of Birth, Gender, BU ID#, Is the scholar currently in the U.S., and Does the scholar have a medical degree?

D. Academic Appointment/Employment Information

Form section D containing fields for Boston University Academic Appointment or Job Title, Appointment/Employment Start Date, Appointment/Employment End Date, Field of Teaching, Research, Employment or Specialization, Brief nontechnical description of research / teaching / work, What type of work will the job involve?, Tenure Status, Employment Status, and Does the position require a state license or other certification?

Please continue on Page 2

| E. Location(s) of Employment/Activity   |  |   |
|---|--|---|
| Primary address where this scholar will teach, research, or work (include city, state and zip code):                                |  |   |
| Will scholar engage in collaborative research or related activities at any locations other than the principal address listed above? | <input type="checkbox"/> Yes <input type="checkbox"/> No | If yes, provide <b>all</b> addresses at which teaching, research or employment activity may occur (include city, state and zip code for each). Attach separate sheet if needed. |
| Will scholar work/be placed at any secondary work locations for more than <u>five</u> days?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |   |

| F. Funding Information                    |  |   |
|---|--|---|
| Total annual salary and/or other funding: | Scholar's <u>principal</u> source of funding is:<br><input type="checkbox"/> BU salary<br><input type="checkbox"/> BU per diem, stipend or housing (in lieu of salary)<br><input type="checkbox"/> Boston Medical Center salary<br><input type="checkbox"/> Personal funding<br><input type="checkbox"/> Other - Please explain: _____ | If J-1 scholar sponsorship requested:<br><br><input type="checkbox"/> The host department has reviewed the financial documents of this scholar and the funding meets the minimum requirement established by BU per: <a href="http://www.bu.edu/isso/scholars/minimum-funding.html">http://www.bu.edu/isso/scholars/minimum-funding.html</a> |

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|---|--|
| <b>G. Handling Instructions</b><br><i>(please select one)</i> | <b>For <u>Initial J-1 and TN Requests Only</u>:</b><br><input type="checkbox"/> Email department contact for pick up. <input type="checkbox"/> Express to scholar ( <u>requires</u> a <b>completed and signed</b> Fedex or DHL air bill) |
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**H. Attestations and Certifications:**

In requesting immigration sponsorship for the above-named individual, WE CERTIFY THE FOLLOWING:

- We have read all of the information on both sides of this form as well as on the corresponding Supplement form (Supplement H, TN, O or J Student Intern) and it is, to the **best of our knowledge**, true and correct.
- We understand that, pursuant to Boston University policy, neither we, nor our employees, are authorized to retain **private counsel** (attorneys/lawyers) to represent BU's interests. All nonimmigrant petitions (i.e. H, O, TN) must be channeled through the International Students and Scholars Office (ISSO); and all immigrant petitions (i.e., permanent residence, also known as "green card") require approval of the Provost on the Charles River Campus.
- If the **terms this scholar's employment** (or activity, if not employed) change in any way, or if the scholar ceases to be employed before the expiration of the approval documentation, we will immediately notify the ISSO in advance via the appropriate departure or change of activity form as found at: <http://www.bu.edu/isso/administrators/index.html>
- Timing of requests:** We understand that this department must submit requests for initial appointments, extensions, and changes in the scholar's employment/activity in accordance with the ISSO's processing timelines as published on the ISSO web site ([www.bu.edu/isso](http://www.bu.edu/isso)). We understand that failure to comply with the timeline specific to this scholar's immigration status (visa type) could result in one of the following (**NOTE:** this is particularly important for time-sensitive petitions such as TN, H-1B and O.)
  - A significant delay in beginning employment/activity (for new scholars).
  - A period of time in which the scholar must stop employment/activity without any possibility of compensation (retroactive payments are not permitted).
  - Require the scholar (and her/his dependents) to travel to her/his home country.
- We understand that the **immigration category** petitioned for is determined by the International Students and Scholars Office (ISSO) in accordance with University policy and government regulations.
- We understand that other provisions and restrictions may apply before employing/hosting the scholar based upon the prospective employee's **individual circumstances and visa history**. For example: individuals who are currently or have been recently in the U.S. in "J" nonimmigrant status may be subject to a home country physical presence ("residence") requirement which may prevent a change of status.
- We understand that **noncompliance with federal and state regulations** to which we are attesting through this and other documentation we have and will submit can result in significant fines and will jeopardize BU's ability to sponsor international scholars in the future.
- Change in **date of arrival**: if the scholar will not arrive by the appointed start date, we understand that we are required to report this to the ISSO immediately as it may require additional immigration processing.
- We understand that we **may not make the following changes** unless the ISSO files a new or amended petition and receives approval (retroactive payments are not permitted) pursuant to U.S. law and related procedures:
  - Promotion or other change in job title or rank.
  - Substantial changes in job duties/responsibilities.
  - Any decrease in salary/benefits.
  - A substantial increase in salary/benefits.
  - Change in location of work
- Boston University (including the ISSO, the Offices of Human Resources, or individual host departments) may be subject to **audits or on-site compliance reviews** pertaining to the sponsorship of nonimmigrant employees. These audits and on-site inspections may be made by agents or designates from U.S. Department of Homeland Security (Immigration and Customs Enforcement), U.S. Department of State, U.S. Department of Labor or other agencies, as applicable. Any questions related to audits or compliance visits should be referred immediately to the ISSO.

**If sponsorship in H-1B or O-1 category is requested, then WE FURTHER CERTIFY/ATTEST TO THE FOLLOWING:**

11. If the scholar will obtain H-1B or O-1 status, this **department attests** to the following:
  - a. Employment of this individual will not adversely affect the working conditions of workers similarly employed. Further, this employee will be afforded working conditions on the same basis, and in accordance with the same criteria, as offered to similarly employed U.S. workers.
  - b. The department **will pay at least the higher of either the actual wage** to be paid by the department to all other individuals with similar experience and qualifications for the specific employment in question **or, the prevailing wage** as determined by the Department of Labor for those in similar occupations in the Boston area. (Note: ISSO will seek a determination of the prevailing wage in accordance with U.S. Department of Labor standards.)  
  
In cases where an employee may work at more than one distinct work site, the employer must obtain a prevailing wage for each work site and the employee must then be paid (at minimum) the highest of the required wages – either the actual wage or the highest of the prevailing wage assignments received for the multiple work locations.
  - c. By requesting H-1B sponsorship on behalf of this employee, this department will agree to, and **will abide by, the terms of the labor condition application (LCA)** for the duration of the employee's authorized period of stay for H-1B employment.
    - o We certify that we will maintain a valid employer-employee relationship with the employee at all times.
    - o If the beneficiary is assigned to a position in a new location, we will notify the ISSO in advance in order to post an LCA prior to the employee's reassignment.
    - o We further understand that the employee cannot be charged the ACWIA fee and that any other required reimbursements will be considered an offset against wages and benefits relative to the LCA.
  - d. If employee will be placed at any location other than the one(s) listed on page one of Form A, for a period longer than five (5) days, the ISSO must be notified in advance by completing a [Change in H-1B Employment Form](#).
    - o If the new location is deemed a "short-term placement" then the employer must cover all actual expenses (travel, housing, living) for work and non-work days spent by the employee on site.
    - o If the new location is deemed to be a "work site," then filing of a new Labor Condition Application and amended H-1B petition may be required.
  - e. **If the employee is terminated** by Boston University prior to the expiration date of the approved petition, the department will pay the reasonable travel expenses necessary for the employee to return to her/his home country or country of last legal residence.
  - f. There is **no strike or work stoppage** in the department at the time of signing this form.
  - g. The scholar will **not be placed on unpaid leave** or any type of non-pay status at any time without ISSO approval.
12. We understand that the University must **certify that the scholar does not need a license** from the U.S. Department of Commerce or the U.S. Department of State **to have access to technology and data** in connection with his or her research at the University and we understand that the University will rely on this certification for that purpose. Specifically, this academic Department understands that it is essential that the Department maintain the University commitment to openness in research and by ensuring that the scholar does not:
  - a. Formally or informally agree to keep confidential technology or data that is export controlled; or
  - b. Formally or informally agree to restrictions on the scholar's ability to disseminate and publish the results of his or her research; or
  - c. Travel outside the U.S. in connection with his or her work for the University without seeking the advice of the Office of Sponsored Programs.
13. We understand that all members of the academic Department, and the University are obliged to comply with **export control laws**. In addition to affirming the statements in Paragraph 10, the Department Host certifies that:
  - a. The research in which the Host expects the scholar will be involved does not involve activities related to the proliferation of nuclear, chemical or biological weapons or missile technology.
  - b. The research in which the Host expects the scholar will be involved does not involve materials, technology or services listed on the **Commerce Control List**: [http://www.access.gpo.gov/bis/ear/ear\\_data.html](http://www.access.gpo.gov/bis/ear/ear_data.html) or the **Munitions List**: <http://www.fas.org/spp/starwars/offdocs/itar/p121.htm>
14. For Department Hosts (Principal Investigators or Supervisors) from the College of **Engineering**, the Departments of **Earth Science, Computer Science, Computational Science, Cognitive and Neural Systems, Math, Physics**, and the Centers for **Remote Sensing, Space Physics and Photonics**, the attestation below includes an individual certification of the following:
  - a. I work, or will work with the scholar, should he/she be granted permission from the U.S. Government to work within the University. I will work with the International Scholar in a capacity that enables me to anticipate the particulars of his/her research and work at the University.
  - b. I affirm that the contents of the [Request for Visa-Related Documents for an International Scholar \(Form A\)](#) are true, to the best of my knowledge, information and belief. I confirm that I have reviewed the Munitions List (<http://www.fas.org/spp/starwars/offdocs/itar/p121.htm>) and I do not expect that the International Scholar's work will involve technology or technical data on that list.
  - c. If at any time during the International Scholar's employment I become aware that technology or technical data have/are/or will be released to the International Scholar in ways that were not anticipated, or that work in the International Scholar's lab is governed by a confidentiality agreement of any kind, I will immediately notify the Office of Research Compliance. I will notify the Office of Research Compliance before the International Scholar begins work activity outside my control or knowledge.

Department Host \*

Department Chair \*

Dean

*Signature*

*Print Name*

*Date*

\* Requests for sponsorship for graded staff positions require signature from (1) employee's direct supervisor and (2) administrative department director.